1 | LAW OFFICES | MANOLIO & FIRESTONE, PLC | 8674 E. San Alberto Drive | Scottsdale, Arizona 85258 | (480) 222-9100 | vmanolio@mf-firm.com | Veronica L. Manolio, SBN 020230 | Attorneys for Tucker Defendants, Counterclaimants, | And Third-Party Claimants | IN THE UNITED STATES |

IN THE UNITED STATES DISTRICT COURT IN AND FOR THE DISTRICT OF ARIZONA

Defendants.

Labor Smart, Inc.

Plaintiff,

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Jason and Melissa Tucker,

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And related Counterclaims and Third-Party Claims.

Case No. 2:22-cv-00357-PHX-DJH

JASON AND MELISSA TUCKERS'
MOTION TO LEAVE TO FILE
NON-ELECTRONIC FILE
IN SUPPORT OF
SUMMARY JUDGMENT
(Expedited Ruling Requested)¹

(Before the Hon. D. Humetewa)

Based on the Electronic Case Filing Administrative Policies and Procedures Manual for the District of Arizona and this Court's procedures for Non-Electronic Filing of Exhibits and Other Documents, Defendants, Counterclaimants and Third-Party Claimants Jason and Melissa Tucker (the "Tuckers") hereby request leave to file various MP4 files as part of their undisputed evidence on summary judgment.

Specifically, the Tuckers identify that they wish to include approximately ten (10) separate MP4 files as undisputed proof supporting their claim for Defamation *Per Se*. While these files are **admittedly** genuine and authentic, they do not fall under the Court's

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¹ Expedited relief is requested only because dispositive motions are due this week, not for any improper purpose.

version of "electronic evidence" submitted pursuant to the electronic filing procedures. Thus, the Tuckers ask that the Court approve submission by providing a USB drive containing this undisputed evidence for inclusion in the record.

Undersigned avows that she attempted to consult opposing counsel (Paul Levine) regarding this request about the procedural method of producing the USB drive to the Court for consideration, but Mr. Levine simply has not been able to respond quickly. There is no anticipated dispute here, and undersigned only asks for approval of the procedure without the opposing party waiving any opportunity(ies) on evidentiary disputes.

A proposed form of Order is submitted herewith. DATED this 7th day of January, 2026.

MANOLIO & FIRESTONE, PLC

By: /s/ Veronica L. Manolio
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Attorneys for the Tucker Defendants,
Counterclaimants, and Third-Party Claimants